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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

Hernando Alberto Heredia,

Plaintiff,

v.

United States of America *ex rel.* United
States Postal Service,

Defendants.

Case No. 2:22-cv-01846-RFB-DJA

**Stipulation to Extend Discovery Plan
and Scheduling Order**

(Second Request)

The parties stipulate to extend the remaining deadlines in the Stipulated Discovery Plan and Scheduling Order by 60 days. This is the second request to extend the Stipulated Discovery Plan and Scheduling Order. This extension is requested because the United States recently received all subpoenaed records and needs additional time to provide supplemental disclosures and expert reports to Plaintiff.

I. Discovery Completed

The parties have exchanged written discovery in the form of interrogatories and requests for production of documents. The parties have taken depositions of the Plaintiff and the government driver. The United States has subpoenaed 16 medical providers. The United States has received records and imaging from all providers. The United States has made a supplemental disclosure of subpoenaed records it received. Plaintiff has served an expert disclosure.

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1 **II. Discovery Remaining**

2 The United States need to exchange expert reports. The United States needs to
3 provide an additional supplemental disclosure of the documents it has received through
4 subpoenas.

5 **III. Why Discovery Has Not Been Completed**

6 One of the providers that had not produced documents was discovered later in
7 discovery, and United States was following up with the provider for those records and
8 ultimately received them. In addition, the United States needed to follow up with some of
9 the providers for medical imaging that its expert requested, and the United States recently
10 received all of the imaging that it requested. With the impending holidays and potential
11 work-related travel for the United States' counsel the week that expert disclosures are due,
12 the United States needs additional time to consult with its expert about the imaging and
13 produce a supplemental disclosure and expert reports.

14 **IV. Proposed Deadlines**

15 Close of Discovery: March 30, 2024 (from January 30, 2024)

16 Initial Expert Disclosures: January 30, 2024 (from December 1, 2023)

17 Rebuttal Expert Disclosures: March 2, 2024 (from January 2, 2024)

18 Dispositive Motions: May 1, 2024 (from March 2, 2024)

19 Joint Pre-Trial Order: May 31, 2024 (from April 1, 2024)

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1 Respectfully submitted this 9th day of November 2023.

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3 JASON M. FRIERSON
United States Attorney

HICKS & BRASIER, PLLC

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5 /s/ Stephen R. Hanson II
6 STEPHEN R. HANSON II
Assistant United States Attorney

/s/ Betsy C. Jefferis-Aguilar
BETSY C. JEFFERIS-AGUILAR
Attorney for Plaintiff

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8 IT IS SO ORDERED:

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11 UNITED STATES MAGISTRATE JUDGE

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13 DATED: 11/14/2023